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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ERIC JOHN NEES,	Case No. 3:10-cv-00092-MMD-VPC
Petitioner,	ORDER
v.	
E.K. McDANIEL, <i>et al.</i> ,	
Respondents.	

This habeas matter comes before the Court on respondents’ motion (ECF No. 72) to strike reply, petitioner’s motion (ECF No. 73) to consider the reply as a supplement in support of the traverse, and petitioner’s motion (ECF No. 79) for a status check.

Respondents’ brief references back and incorporates their prior answer in the amended motion to dismiss (see ECF No. 67, at 8), did not reopen renewed briefing on the merits as to Grounds 1 and 2. If any further filings are warranted after the Court addresses the amended motion to dismiss, it will direct such additional filings at that time. Neither the Rules Governing Section 2254 Cases (the “Habeas Rules”) nor the Court’s local rules allow unilateral supplemental filings after the reply permitted by Habeas Rule 5(c). While courts construe *pro se* pleadings liberally, *pro se* litigants nonetheless remain bound by rules of procedure. *E.g., Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995). The Court will reach the amended motion to dismiss as promptly as its habeas docket allows, as the motion is pending behind similar habeas motions that have been pending for a longer period of time.

1 It therefore is ordered that respondents' motion (ECF No. 72) to strike reply is
2 granted and that petitioner's motion (ECF No. 73) to consider the reply as a supplement
3 in support of the traverse is denied. The Clerk of Court sill strike petitioner's reply brief
4 (ECF No. 71) filed on May 19, 2016.

5 It further is ordered that petitioner's motion (ECF No. 79) for a status check is
6 granted in part consistent with the remaining provisions of this order but is denied in part
7 to the extent that petitioner seeks consideration of filings herein ahead of other similar
8 matters on the Court's habeas docket that have been pending longer.

9 DATED THIS 26th day of September 2017.

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12 MIRANDA M. DU
13 UNITED STATES DISTRICT JUDGE
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